

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 12-2004)

ATTORNEY'S DOCKET NUMBER

D-4115

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

107524250INTERNATIONAL APPLICATION NO.
PCT/CA2003/001180INTERNATIONAL FILING DATE
11 August 2003PRIORITY DATE CLAIMED
9 August 2002

TITLE OF INVENTION

Bio-Synthetic Matrix and Uses Thereof

APPLICANT(S) FOR DO/EO/US

GRIFFITH, May**CARLSSON, David J.****LI, Fengfu**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV464416449US**
23. ☒ Other items or information:

application data sheet

written opinion and response to written opinion (w/Art. 34 amendments)

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/524250</div>		INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; text-align: center;">PCT/CA2003/001180</div>		ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; text-align: center;">D-4115</div>											
24. The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee \$300.00 <input checked="" type="checkbox"/> b) Examination fee \$200.00 <input checked="" type="checkbox"/> c) Search fee \$500.00 <div style="text-align: right; font-weight: bold;">TOTAL OF ABOVE CALCULATIONS = \$1000.00</div>				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">Applicant use</th> <th style="width: 50%;">Office use</th> </tr> <tr> <td style="text-align: right;">\$ 300.00</td> <td></td> </tr> <tr> <td style="text-align: right;">\$ 200.00</td> <td></td> </tr> <tr> <td style="text-align: right;">\$ 500.00</td> <td></td> </tr> <tr> <td style="text-align: right;">\$ 1,000.00</td> <td></td> </tr> </table>		Applicant use	Office use	\$ 300.00		\$ 200.00		\$ 500.00		\$ 1,000.00	
Applicant use	Office use														
\$ 300.00															
\$ 200.00															
\$ 500.00															
\$ 1,000.00															
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.															
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE												
- 100 =	/50 =		x \$250.00	\$	\$0.00										
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$											
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE												
Total claims	- 20 =	0	x \$50.00	\$	\$0.00										
Independent claims	- 3 =	0	x \$200.00	\$	\$0.00										
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00										
TOTAL OF ABOVE CALCULATIONS =				\$	\$1,000.00										
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00										
SUBTOTAL =				\$	\$1,000.00										
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00										
TOTAL NATIONAL FEE =				\$	\$1,000.00										
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00										
TOTAL FEES ENCLOSED =				\$	\$1,000.00										
Amount to be refunded:				\$											
Amount to be charged:				\$											
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>\$1,000.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is _____ c. <input type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.															
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.															
SEND ALL CORRESPONDENCE TO: Frank J. Uxa Stout, Uxa, Buyan & Mullins, LLP. 4 Venture, Suite 300 Irvine, CA 92618 US															
<div style="text-align: right;"> SIGNATURE Frank J. Uxa NAME 25,612 REGISTRATION NUMBER </div>															

10/524250

DT01 Rec'd PCT/PTC 09 FEB 2005

D-4115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In re application of:

GRIFFITH ET AL

) Group Art Unit: N/A

)

Serial No. N/A

) Examiner: N/A

)

Dated: Submitted herewith

)

)

TITLE: BIO-SYNTHETIC MATRIX AND USES THEREOF

Express Mail Mailing Label No. EV 464416449 US

Date of Deposit: FEBRUARY 9, 2005

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, Mail Stop PCT, PO Box 1450, Alexandria, VA 22313-1450.

1. Transmittal Letter;
2. Application Data Sheet;
3. International Search Report;
4. Written Opinion;
5. Response to Written Opinion (w/ Article 34 amendments to the claims);
6. IPER;
7. Check in the amount of \$1,000;
8. Return postcard.

The 8 above-identified documents are enclosed herewith.

Respectfully submitted,



Janet E. McGhee, Office of
Frank J. Uxa

Attorney for Applicant

Reg. No. 25,612

4 Venture, Suite 300

Irvine, CA 92618

(949) 450-1750

Facsimile (949) 450-1764

00/524250
BT01 Rec'd PCT/PTC 09 FEB 2005

DOCKET NO.: D-4115

THE ENCLOSED APPLICATION OF GRIFFITH ET AL IS BEING FILED
IN ACCORDANCE WITH SECTION 37 CFR 1.10 BY EXPRESS MAIL
AND SHOULD BE ACCORDED A FILING DATE

FEBRUARY 9, 2005

SEE THE EXPRESS MAIL CERTIFICATE ATTACHED TO THE APPLICATION.